App F IX 1

Previous References

1943 Municipal File No 101—43
Serial Nos 36

Later References

GENERAL AND REVENUE SECRETARIAT

Serial Nos one

Part B for Jany-'45

SUBJECT

Recovery of octroi duty on articles imported by the Chamiaraj endra Technical Institute, Govt Lac & Paints Workshops in Mysore City Mlg

To Prest City Mpl Cl Mysore

L 6487 dated 21-1-45

Exemption to the institutions

from paying —.

7/3

Letter no Rd C 986-100/43-44 dt 26-1-44 from the President, Ry Municipality requesting that clear instructions may be issued in the matter of the recovery of octroi duty on articles imported by the Chamarajendra Technical Institute & the Govt Lac & paint works etc.

"W" 1) A copy of Govt no L 10155-219/ML 113-42-20 dt 15-4-43 directing the exemption from payment of octroi duty on all articles purchased by Govt departments for bonafide Govt purposes

2) Order for orders

(WB 20/2) 3) Information as necessary in regard to the other kinds of articles imported for the use of the two institutes of Chamarajendra Technical Institute & the Govt Lac & Paint works in which the octroi is being recovered at present by the Municipality & the amount paid by the Concerns to the Municipality in the shape of duty during each of the last three years. This will be obtained from the Office of the Director of Industries who will also be requested to furnish his opinion

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on the proposal contained in the
ML Presidents' letter
1950
3/2/44

Land Legs for
28/2/44

4) Yes

ECO No 247/43 Dated 21-2-44

21-2-44

Forwarded unofficially with compliments to the Secretary Industries Commerce Supply for favour of furnishing the information required above, together with his opinion on the proposal made by the President, Supreme Cy Mel.

Asst Secretary
Supply Govt
21/2 Lay Legs

Unofficial Ide N
a l d

5) No 2078
3/5/44
Returned with compliments

Lac & Paint Works Mysore

6) Oc roi duty is being collected from the said Worksion the following articles

1 Metallic goods
2 Colours and Pigments
3 Packing planks and reapers
4 Glassware including electric bulbs
5 Oils and greases

Duty paid during the last three years is as follows -

1940-41	Rs	597	3 1
1941-42		601	2 6
1942-43		507	13 4
Total		1706	2 11

50% of the factory production is sold to Government

WD 01800—GPB—60 000—26-1 43

40% is sold to consumers outside Mysore City

SRI CHAMARAJENDRA TECHNICAL INSTITUTE

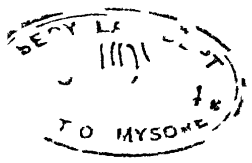
7) In this Institution duty is being levied on the following articles -

1 Hardware
2 Oils and Paints
3 Tapestry and Sofa materials
4 Glasses and mirrors

Duty paid during the last three years is noted below -

1940-41	Rs	133	9	2
1941-42	Rs	113	3	6
1942-43	Rs	132	7	0
Total		379	3	8

8) The building is owned by the Public Works Department and the machinery were sanctioned for the use of the Training Section The Workshop attached to the classes are maintained only to give apprentice training to the respective industrial classes Added to this there is a vocational class to give training to the students coming from Marimallappa's High School and Maharaja's High School This is purely an educational institution and is neither an industrial concern nor a commercial concern



9) In the Show Room attached to the Institute articles manufactured by the Passed students and Training Section products are sold In addition to this articles manufactured by the local artisans and the products of the Cottage Industries are also exhibited for sale The showroom is more a museum to exhibit the Mysore Arts & Crafts than for sale of Institute products Further the biggest purchasers of these articles are the Palace and Government Departments Purchases from local people does not represent even 50%

10) In the light of the above the Institute may be exempted from the payment of Octroi duty

11) So far as the Government Lac & Paint Works is concerned 50% of the goods manufactured is sold to Government Departments and the balance is mostly sold to consumers outside the Mysore City In view of this and also in view of this industry being an infant industry the goods obtained for the use of this factory may be exempted from payment of Octri duty

B V Bhandarkar
Director of Industries & Commerce

Development Secretary)

29/4/1944

4771
L. of 43-44

Tube Alloys

The Dir of D&C recommends that the two Institutions may be exempted from payment of octroi duty for the reasons stated by him in his D.O. note cited with reference to paras 3 & 4 supra

UKB
5/5 In view of the opinion (dispensing) expressed by the Dir of D&C & the President, Myysore, that the matter, the remarks of the Comptroller may be discussed with Mr. Lawsey on his 30 8 44

Forwarded with compliments to the Comptroller in the light of the opinion expressed above by the Dir of Industries, Mysore & the President, Mysore, in the subject: By order

[illegible]
for Secy to Govt
Law Dept

REVENUE L.C. No. 46 / L
Dt 11-9-44

CONTROLLER'S OFFICE & AUDIT 16 9 44 OFFICIAL SECTION

30/Cr dtd 22 9 44.

328/spc 17 11 44

U.O No 166/CLAD dated the 16th November 44.

Returned with Compliments -

2 According to the rules as they stand at present, the dutiable articles required for the bonafide Government purposes are not to be taxed and hence they are exempt from such levy Vide Rule 91(4) M.A.M and also G O.No 10155-219/M1 113-42-90 dated 15-4-43 the latter being quite definite and clear.

3. Though some of the Industrial Concerns are run on commercial basis, the object with which they are undertaken is not for profiteering but for exploring and improving the productive resources of the State for the benefit of the rate payer

4 The income, if any, to be derived from such enterprices does not go to enrich any individual but to the public coffers resulting at the end in the meeting of the cost of public amenities such as Education, Protection, Public works etc The articles purchased by these Industrial concerns have to be considered as for bonafide Government use in accordance with para 3 of G.O dated 15-4-43 and exempted from duty.

5 It may be however insisted that as contemplated in rule 91(4) M A M the Departmental Head may be required to certify that, at the time of import, the commodity mentioned in the invoice belongs to Government

LAW DEPT GOVT O MYSORE

Comptroller.

16 11 44

Sd/- M Shamanna

4771

Submit with draft letter for approval

HMG 21/11 The President, Myrone of Mt
el requests the issue of clear
instructions in regard to the liability
of the Supreme Chancellor to declare
to institute the Government Land Plant works
Law for payment of - other duty on the
articles imported by these industrial
Concerns for manufacturing articles
for Sale
There was no necessity for asking for
any further instructions in the matter
as the instructions issued on 2 Aug
of 50 no C/c 135 2/3 / Jul 1/3-42
- 90 of 15 & 43 are quite adequate
The Director of Industries & Commerce
requests that these Concerns might
be exempted for payment of duty
The Inspector Considers that they
are to be exempted from the duty
& rather, as these industrial

4771943

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Concerns are run not for profiteering but for economy & improving the resources of the state for the benefit of the rate payer

Draft circumventing the views of the Comptroller as putting for approval. Law dept) 9/12/44

The charge is in accordance with the G.O. and the opinion of the Comptroller

May be approved

12.12.44

yes (though bad drafting)

To

Re Odt, city mech. Mysore No 6487 dt 2-1-45

Issues instructions in the matter

OFFICE MINISTER OF LAW 12 DEC 1944 No. 799

C 1 69J

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F.C. 100/4344

No R1 C.780/100/42-43
Enc

OFFICE OF THE PRESIDENT
CITY MUNICIPAL COUNCIL, MYSORE

Date 26th Jan. 44. 194

From R Ramachandra Rao Bhombore, Esq , B A ,
PRESIDENT, CITY MUNICIPAL COUNCIL,
MYSORE

To C.Narayanaswamy Naidu, Esq , B.A ,B.L ,
Secretary to Government, Law Department,
Bangalore.

Sir,

I have the honour to advert to the Government Order No L.10155-219/M1 113-42-9 dated 15-4-1943, - issuing instructions that the octroi duty may not be levied on kerosene oil purchased by Government Officers for bonafide Government purpose and imported into the Municipal Town by the wholesale dealers, and to state that on the authority of this Government Order and on behalf of the Mysore Chamarajendra Technical Institute and the Government Lac and Paint Works, the Director of Industries and Commerce has been urging for exemption of the tax on all the articles imported by these concerns

2 In this connection, I am to state that according to the practice prevailing here only the timber pur-

chased by the Chamarajendra Technical Institute is not being levied with the octroi duty while in respect of all other kinds of articles it is being duly recovered

The Government Order referred to above seems be with respect to the purchases made in the city from a licensed wholesale dealer having his business in the city limits In the case of articles required by the Commercial concerns the articles are imported from beyond the city limits from various agencies and for purposes of the manufacturing of several products for sale The concerns are worked on commercial basis and the levy of Municipal duty is quite in accordance with the standing orders

In these circumstances, I request that clear instructions may be issued to continue the present practice of recovering octroi duty in accordance with the sanctioned bye-laws in force.

I have the honour to be,
Sir,
Your most obedient servant,

PRESIDENT
27/44

SNR
26/1.

Pages 1--11

To The Dch, Engineering,
L-6487- Mysore.
III 101-43-38 2/1/45

Sir,

With reference to your letter no R1-C-986-100/43-44 dt 26-1-44 soliciting definite instructions in regard to the recovery of octroi duty on articles imported by the Chamarajendra Technical Institute and the Govt Lac & Paint works etc, at Mysore, I am directed to invite reference to rule 21(4) M & M & also Go no L 10155-219/Ind 113-42-90 dt 15-4-43 which are clear on the subject.

2. Though some of the Industrial Concerns are run on a commercial basis, the object with which they are undertaken is not for profiteering but for exploring & improving the productive resources of the State for the benefit of the rate Payer. The income, if any, to be derived from such

Enterprises does not go to enrich any individual but to the Public Coffers resulting at the end in the meeting of the cost of Public amenities such as Education, Protection, Public works etc, The articles purchased by these Industrial concerns have to be considered as for bonafide Govt. use in accordance with the Govt order dated the 15th April 1943 & exempted from duty.

The Departmental head may however be ~~invariably~~ required upon as contemplated in Rule 91(4)-clb "A" clb for a certificate to the effect that the articles imported belong to the Govt

L 6488-9 21/1/45 Thanks etc

memorandum copy of the D.O. letter from Kaw Secy/Govt

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